

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

MARTÍN JONATHAN BATALLA VIDAL,)
ANTONIO ALARCÓN, ELIANA FERNANDEZ,)
CARLOS VARGAS, CAROLINA FUNG FENG,)
M.B.F., by her next friend LUCIA FELIZ,)
XIMENA ZAMORA, SONIA MOLINA) Case No. 1:16-cv-04756 (NGG)(VMS)
and JOHANA LARIOS SAINZ,)
On behalf of themselves and all other) April 25, 2022
similarly situated individuals,)
and MAKE THE ROAD NEW YORK,)
On behalf of itself, its members, and its)
clients,)
Plaintiffs,)
v.)
ALEJANDRO MAYORKAS, in his official)
capacity as Secretary of Homeland Security,)
et al.,)
Defendants.)

NOTICE OF PLAINTIFFS' MOTION FOR MODIFICATION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Modification, dated April 25, 2022 and Declaration of Muneer Ahmad, dated April 25, 2022, with accompanying exhibits, Plaintiffs Martín Jonathan Batalla Vidal, Antonio Alarcón, Eliana Fernandez, Carlos Vargas, Carolina Fung Feng, M.B.F., Ximena Zamora, Sonia Molina, and Johana Larios Sainz, and Make the Road New York, on behalf of the members of the certified nationwide *Batalla Vidal* class (collectively "Plaintiffs"), move this Court, before

the Honorable Nicholas G. Garaufis, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn New York, 11201, to modify, or in the alternative to clarify, this Court's prior order and issue the requested relief as appropriate.

PLEASE TAKE FURTHER NOTICE that Plaintiffs' reply papers will be served by June 6, 2022.

Dated: April 25, 2022

Respectfully submitted,

/s/ Muneer I. Ahmad

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CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2022, a true and correct copy of the foregoing Notice of Plaintiffs' Motion for Modification, as well as Plaintiffs' Memorandum of Law in Support of Motion for Modification and Declaration of Muneer Ahmad were served electronically by e-mail to counsel for Defendants at the following email addresses:

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